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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 95-ASO-4]

Amendment to Class E Airspace; Smithfield, NC

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment modifies Class E airspace at Smithfield, NC. A LOC/DME RWY 3 Standard Instrument Approach Procedure (SIAP) has been developed for Johnston County Airport. Additional controlled airspace extending upward from 700 feet above the surface (AGL) is needed to accommodate this SIAP and for instrument flight rules (IFR) operations at the airport.

EFFECTIVE DATE: 0901 UTC, July 20, 1995.

FOR FURTHER INFORMATION CONTACT: Steve McDuffee, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5570.

SUPPLEMENTARY INFORMATION:

History

On February 3, 1995, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by modifying Class E airspace at Smithfield, NC (60 FR 6686). This action would provide adequate Class E airspace for IFR operations at Johnston County Airport.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Designations for Class E

airspace extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9B dated July 18, 1994, and effective September 16, 1994. The Class E airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) modifies Class E airspace at Smithfield, NC, to accommodate a LOC/DME RWY 3 SIAP and for IFR operations at Johnston County Airport.

FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510; EO 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9B, Airspace Designations and Reporting Points, dated July 18, 1994, and effective September 16, 1994, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet above the surface of the earth.

* * * * *

ASO NC E5 Smithfield, NC [Amended]

Johnston County Airport, NC
(Lat. 35°32'27" N, long. 78°23'25" W)
Jnall NDB

(Lat. 35°26'25" N, long. 78°21'16" W)

That airspace extending upward from the surface within a 7.5-mile radius of Johnston County Airport and within 2.4 miles each side of the 024° bearing from the Jnall NDB, extending from the 7.5-mile radius to 7 miles northeast of the NDB.

* * * * *

Issued in College Park, Georgia, on April 14, 1995.

Stephen W. McDuffee,

*Acting Manager, Air Traffic Division,
Southern Region.*

[FR Doc. 95-10390 Filed 4-26-95; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 28199; Amdt. No. 1660]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located; or

3. The Flight Inspection Area Office which originated the SIAP.

For Purchase

Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription

Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

FOR FURTHER INFORMATION CONTACT: Paul J. Best, Flight Procedures Standards Branch (AFS-420), Technical Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8277.

SUPPLEMENTARY INFORMATION: This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4, and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The

provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

The Rule

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPS). In developing these SIAPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are unnecessary, impracticable, and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Navigation (Air).

Issued in Washington, DC on April 21, 1995.

Thomas C. Accardi,

Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. app. 1348, 1354(a), 1421 and 1510; 49 U.S.C. 106(g); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

* * * *Effective May 25, 1995*

Fayetteville, AR, Drake Field, MLS RWY 34, Orig.
Tell City, IN, Perry County Muni, VOR or GPS RWY 31, Amdt 5
Venice, LA, Tiger Pass, NDB-A, Amdt 1, Canceled
North Platte, NE, North Platte Regional, NDB OR GPS RWY 30L, Amdt 9A, Canceled
New York, NY, La Guardia, LDA-A, Amdt 2
Mt. Airy, NC, Mt. Airy—Surry County, NDB RWY 36, Orig
Gallipolis, OH, Gallia—Meigs Regional, VOR-B, Amdt 1
Youngstown, OH, Lansdowne, NDB or GPS-B, Amdt 8
Phillips, WI, Price County, NDB or GPS RWY 6, Amdt 1
Phillips, WI, Price County, NDB or GPS RWY 24, Amdt 3
Pulaski, WI, Carter, VOR or GPS-A, Amdt 4
Sheridan, WY, Sheridan County, ILS/DME RWY 31, Amdt 5, Canceled

* * * *Effective June 22, 1995*

Birmingham, AL, Birmingham Intl, ILS RWY 5, Amdt 41
Pensacola, FL, Pensacola Regional, VOR OR GPS RWY 8, Amdt 3
Atlanta, GA, Dekalb-Peachtree, RADAR-1, Amdt 2, Canceled
Atlanta, GA, The William B. Hartsfield Atlanta Intl, RADAR-1, Amdt 31, Canceled
Portland, TN, Portland Muni, VOR/DME OR GPS RWY 19, Amdt 3

Winchester, TN, Winchester Muni, NDB OR GPS RWY 18, Amdt 5
 Amarillo, TX, Amarillo Intl, VOR RWY 22, Orig.
 Amarillo, TX, Amarillo Intl, VOR OR GPS RWY 22, Amdt 26, Canceled
 Dalhart, TX, Dalhart Muni, VOR OR GPS RWY 17, Amdt 12
 Dalhart, TX, Dalhart Muni, VOR/DME OR GPS RWY 35, Amdt 2

* * * *Effective July 20, 1995*

Arcata/Eureka, CA, Arcata, ILS/DME RWY 32, Amdt 1
 Arcata/Eureka, CA, Arcata, ILS RWY 32, Amdt 29
 Bishop, CA, Bishop, VOR/DME or GPS-B, Amdt 4
 Jackson, CA, Westover Field Amador County, VOR/DME RWY 1, Amdt 1
 Modesto, CA, Modesto City—County Airport—Harry Sham Field, ILS RWY 28R, Amdt 12
 Santa Ana, CA, John Wayne Airport—Orange County, NDB RWY 19R, Amdt 1
 Groton/New London, CT, Groton—New London, VOR OR GPS RWY 5, Amdt 6
 Groton/New London, CT, Groton—New London, VOR OR GPS RWY 23, Amdt 8
 Groton/New London, CT, Groton—New London, ILS RWY 5, Amdt 10
 Windsor Locks, CT, Bradley Intl, ILS RWY 6, Amdt 32
 Windsor Locks, CT, Bradley Intl, COPTER ILS 058, Orig.
 Owensboro, KY, Owensboro—Davies County, VOR or GPS RWY 18, Amdt 8
 Owensboro, KY, Owensboro—Davies County, VOR RWY 36, Amdt 16
 Owensboro, KY, Owensboro—Davies County, LOC BC RWY 18 Orig
 Owensboro, KY, Owensboro—Davies County, NDB or GPS RWY 36, Amdt 8
 Owensboro, KY, Owensboro—Davies County, ILS RWY 36, Amdt 10
 Marthas Vineyard, MA, Marthas Vineyard, VOR OR GPS RWY 6, Amdt 5, Canceled
 Marthas Vineyard, MA, Marthas Vineyard, VOR OR GPS RWY 24, Amdt 12, Canceled
 Marthas Vineyard, MA, Marthas Vineyard, ILS RWY 24, Amdt 8, Canceled
 Vineyard Haven, MA, Marthas Vineyard, VOR OR GPS RWY 6, Orig.
 Vineyard Haven, MA, Marthas Vineyard, VOR OR GPS RWY 24, Orig.
 Vineyard Haven, MA, Marthas Vineyard, ILS RWY 24, Orig.
 Loris, SC, Twin City, VOR/DME-A, Amdt 2
 North Myrtle Beach, SC, Grand Strand, VOR or GPS RWY 5, Amdt 20
 North Myrtle Beach, SC, Grand Strand, VOR or GPS RWY 23, Amdt 19
 Houston, TX, West Houston, VOR OR GPS-B, Amdt 2
 Houston, TX, West Houston, NDB RWY 15, Amdt 1
 Houston, TX, West Houston, NDB RWY 33, Amdt 2

* * * *Effective upon Publication*

Kansas City, MO, Kansas City Intl, ILS RWY 1R, Amdt 1

[FR Doc. 95-10386 Filed 4-26-95; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 73

[Airspace Docket No. 94-AWP-17]

Realignment of Restricted Areas R-4807A, Tonopah and R-4808N, Las Vegas, NV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action realigns the common boundary between Restricted Areas R-4807A, Tonopah, NV, and R-48408, Las Vegas, NV, located within the Nellis Air Force Base (AFB) Range Complex. R-4807A is increased by 128 square miles on its eastern boundary and R-4808N is correspondingly reduced by the same amount. There are no changes to the designated altitudes for either R-4807A or R-4808N. Because R-4807A is a joint-use restricted area, this action will increase the airspace available for civil use when the area is released to the controlling agency. Additionally, the time of designation for R-4807A is being reduced from "Continuous" to "Continuous from 0600 Monday to 1900 Friday; other times by NOTAM." R-4808N is a non-joint-use restricted area and is active on a continuous basis.

EFFECTIVE DATE: 0901 UTC, July 20, 1995.

FOR FURTHER INFORMATION CONTACT: Jim Robinson, Military Operations Program Office (ATM-420), Office of Air Traffic System Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 493-4050.

SUPPLEMENTARY INFORMATION:

The Rule

This amendment to part 73 of the Federal Aviation Regulations realigns the common boundary between Restricted Areas R-4807A and R-4808N within the Nellis AFB. This amendment increases the area of R-4807A by 128 square miles on the eastern side and reduces R-4808N by the same amount. The purpose of this action is to enhance airspace utilization and allow better use of existing electronic warfare threat simulators in the area of R-4807A known as EC South (ECS). The expansion of R-4807A will support the same type of missions currently flown in the existing ECS airspace. Additionally, the time of designation for R-4807A is being reduced from "Continuous" to "Continuous from 0600 Monday to 1900 Friday; other times by NOTAM." These actions will increase the airspace available for civil

aviation use when R-4807A is released to the controlling agency. R-4808N is a non-joint-use restricted area and is active on a continuous basis. This amendment realigns the common boundary between two existing restricted areas, reduces the time of designation for R-4807A, and does not establish any new restricted airspace. Therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are unnecessary because this action is a minor technical amendment in which the public is not particularly interested. Section 73.48 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8B dated March 9, 1994.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Environmental Review

An environmental assessment was conducted in accordance with United States Air Force (USAF) regulations and resulted in a categorical exclusion (CATEX) determination by the USAF. This action is a minor adjustment to the internal boundaries of adjacent restricted areas, without changing the outer limits of the restricted airspace complex as a whole, and a reduction in the time of use for R-4807A. This action is not subject to environmental assessments and procedures under FAA Order 1050.1D, "Policies and Procedures for Considering Environmental Impacts," and the National Environmental Policy Act.

List of Subjects in 14 CFR Part 73

Airspace, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows: